GAHC010173022020

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./2696/2020

KOUSHIK PATHAK
S/O HANGSHO PATHAK @ HANGSHADHAR PATHAK, VILL- 2 NO. GANAKPARA, P.O.-CHHAYGAON, P.S.-CHHAYGAON, DIST-KAMRUP, ASSAM, PIN-781124

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

O R D E R

03-12-2020.

By filing this petition under Section 439 of the CrPC, petitioner Koushik Pathak, who is in custody since 12.08.2020, has prayed for releasing him on regular bail in connection with the Chhaygaon P.S. Case No.775/2020, under Section 376(3) of the IPC, read with Section 6 of the POCSO Act.

Heard learned counsel for both sides.

On instruction, Mr. D. Das, learned Addl. P.P., Assam submits that charge sheet has not yet been submitted due to want of DNA report. On the other hand, the learned counsel for the petitioner submits that the petitioner is behind the bar beyond the statutory period i.e. in the custody for 114 days till today.

Accordingly the petitioner is found to be entitled to default bail.

In view of the above, the accused person named above is allowed to release on regular bail of Rs.20,000/- with one surety of like amount, to the satisfaction of learned Special Judge, Kamrup at Amingaon, in connection with the Chhaygaon P.S. Case No.775/2020.

The bail petition stands disposed of accordingly.

JUDGE

Comparing Assistant